



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER LOWER
MANHATTAN DISASTER SITE LITIGATION

21 MC 102 (AKH)

STIPULATION AND ORDER OF
DISMISSAL AS TO JPMORGAN
CHASE & CO. only in:
Cases listed in Schedule A

ALVIN K. HELLERSTEIN, U.S.D.J.

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the individual actions listed in Schedule A, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, and based on the representation of the within defendant, and to the extent plaintiffs can so stipulate, each and every claim asserted against defendant JPMorgan Chase & Co. only (sued herein as Chase Manhattan Bank Corporation, Chase Manhattan Bank, Manufacturers Hanover Trust Company and J.P. Morgan Chase Corporation) with regard to claims filed by plaintiffs in the actions listed in Schedule A only shall be and the same hereby are discontinued without prejudice as against defendant JPMorgan Chase & Co. only, without costs to either party as against the other.

IT IS HEREBY FURTHER STIPULATED AND AGREED that should facts or circumstances derived from future discovery or otherwise come to light that indicate a relationship to the litigation and a basis for a claim against the defendant for whom this Stipulation is being entered, plaintiffs may reassert their respective claims against said defendant by motion, stipulation or otherwise, and without the necessity of additional service of process, and in no event will said defendant raise any statute of limitations defense other than as may have been asserted based upon the date of filing of the original action, at the time that the action was originally commenced against said defendant.

The Stipulation may be filed without further notice with the Clerk of the Court, and defendant will obtain, if necessary, any judicial "So Order" of this Stipulation and any other signatory, if necessary.

Dated: New York, New York
August 16, 2013

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By: 
Christopher R. LoPalo

SO ORDERED: 8/27/13


HON. ALVIN K. HELLERSTEIN

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Schedule A

<u>Plaintiff</u>	<u>Docket Number</u>
Napoleon Pina	06 cv 12413
Cristhian Tapia	08 cv 2248